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18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

20 WAYMO LLC,  
21 Plaintiff,  
22 v.  
23 UBER TECHNOLOGIES, INC.;  
24 OTTOMOTTO LLC; OTTO TRUCKING  
25 LLC,  
26 Defendants.

27 Case No. 3:17-cv-00939-WHA

28 **DECLARATION OF JAMES LIN IN  
SUPPORT OF DEFENDANT OTTO  
TRUCKING LLC'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL ITS  
MOTION TO EXCLUDE REPORT AND  
TESTIMONY OF DR. LAMBERTUS  
HESSELINK**

Courtroom: 8 (19th Floor)  
Judge: Hon. William Alsup  
Trial Date: October 10, 2017

1 I, James Lin, declare as follows:

2 1. I am an associate at the law firm of Goodwin Procter LLP, counsel of record for  
 3 Defendant Otto Trucking LLC (“Otto Trucking”). I make this declaration based upon matters  
 4 within my own personal knowledge and if called as a witness, I could and would competently  
 5 testify to the matters set forth herein. I make this declaration in support of Defendant Otto  
 6 Trucking’s Administrative Motion File Under Seal its Motion to Exclude Report and Testimony of  
 7 Dr. Lambertus Hesselink (the “Administrative Motion”).

8 2. I have reviewed the following documents and confirmed that only the portions  
 9 identified below merit provisional sealing:

Document	Portions to Be Filed Under Seal
Otto Trucking’s Motion to Exclude Report and Testimony of Dr. Lambertus Hesselink	Highlighted Portions
Exhibit 1 to Lin Declaration – excerpts to Opening Report of Dr. Lambertus Hesselink	Entire Document
Exhibit 2 to Lin Declaration – excerpts to Reply Report of Dr. Lambertus Hesselink	Entire Document
Exhibit 3 to Lin Declaration – excerpts to the transcript of the September 26, 2017 deposition of Dr. Lambertus Hesselink	Entire Document

21 3. The highlighted portions of the Motion to Exclude Report and Testimony of Dr.  
 22 Lambertus Hesselink and the entirety of Exhibits 1, 2, and 3 to the Lin Declaration contain  
 23 information that Plaintiff Waymo LLC (“Waymo”) has designated “Confidential” or “Highly  
 24 Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order in this case. Otto Trucking  
 25 states no position about whether the confidentiality designations are appropriate.

26 4. Otto Trucking anticipates that Waymo will file any necessary declarations to seal  
 27 the above information pursuant to Local Rule 79-5.

5. Otto Trucking's request to seal is narrowly tailored to those portions of the Motion and its supporting documents that merit sealing.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 2nd day of October, 2017 in Menlo Park, California.

/s/ *James Lin*  
JAMES LIN

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **October 2, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service of the publicly filed documents will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on  
**October 2, 2017.**

/s/ Neel Chatterjee  
NEEL CHATTERJEE

## **ATTORNEY ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I, Neel Chatterjee, hereby attest that concurrence in the filing of this document has been obtained from any signatories indicated by a "conformed" signatures (/s/) within this e-filed document.

Dated: October 2, 2017

/s/ Neel Chatterjee  
Neel Chatterjee